	Application No.	Applicant(s)
Notice of Allowability	10/808,573	GLUKHOVSKY, ARKADY
	Examiner	Art Unit
	Karen E. Toth	3735
The MAILING DATE of this communication appeal claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communicatio IGHTS. This application is subject	oplication. If not included n will be mailed in due course. THIS
1. This communication is responsive to the request for continu	ued examination filed 18 January 2	<u>007</u> .
2. The allowed claim(s) is/are <u>37-51</u> .		
 Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received:	e been received. e been received in Application No	
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply IENT of this application.	complying with the requirements
 A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 	itted. Note the attached EXAMINEF es reason(s) why the oath or declar	R'S AMENDMENT or NOTICE OF ation is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.	
(a) including changes required by the Notice of Draftspers	son's Patent Drawing Review (PTO	-948) attached
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b) including changes required by the attached Examiner's Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	.84(c)) should be written on the draw he header according to 37 CFR 1.121	ings in the front (not the back) of (d).
 DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT 	SIT OF BIOLOGICAL MATERIAL FOR THE DEPOSIT OF BIOLOGIC	must be submitted. Note the CAL MATERIAL.
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5. Notice of Informal F	Patent Application
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary	, ,
3. ☐ Information Disclosure Statements (PTO/SB/08),	Paper No./Mail Da 7. Examiner's Amend	ite
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. Examiner's Statement of Reasons for Allowance	
-	9.	12 2
	s	CHARLES A. MARMOR II SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

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DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to anticipate or make obvious the structure of claims 37-51, including, *inter-alia*, determining a pH gradient within a gastrointestinal tract by using two pH sensors within the tract, and using the gradient to determine a direction of flow over the distance separating the two sensors.

Rich (US Patent Application Publication 2002/0151816) discloses a method of determining a gradient in a patient's tract (paragraphs [0050] and [0083]) comprising inserting sensors separated by a distance within the tract (elements 12, figure 19); sampling the output of the sensors over time (paragraph [0071]); and determining a gradient between the output of the sensors over time (paragraph [0089]). Rich does not disclose inserting the sensors into a gastrointestinal tract, using pH sensors, or using the gradient to determine a direction of flow, especially since the gradient determined is a pressure gradient.

Kilcoyne (US Patent Application Publication 2004/0158138) discloses a method of generally monitoring the flow in a gastrointestinal tract (paragraph [0003]) using pH sensors (paragraph [0064]), in order to diagnose a patient's gastrointestinal reflux disease (GERD). However, Kilcoyne does not disclose using multiple sensors separated over a distance and determining a gradient of pH measurements over the distance.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

2. Applicant's arguments, see request for continued examination, filed 18 January 2007, with respect to claims 37-51 have been fully considered and are persuasive. The rejection of these claims has been withdrawn.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen E. Toth whose telephone number is 571-272-6824. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on 571-272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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CHARLES A. MARMOR II SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700